

## REMARKS

Claim 30 is pending in this application. As to the amendment to Claim 30, see, e.g., Applicant's specification at page 1, lines 13-15; page 4, lines 9-11 and sentence bridging pages 4-5; page 21, lines 1-7.

Applicant's undersigned representative thanks the Examiner for the telephone interview on November 18, 2008. The recitation now of the phrase "computer-implemented" in Claim 30 is believed to be in accordance with the Examiner's position concerning 35 U.S.C. 101.

Claim 30 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Peckover in view of Owens. The Examiner admits that Peckover "does not specifically teach an authorized vendor list." (Office action, page 5) The Examiner admits that neither reference teaches "that the user preference filter is for a plurality of customers." (Office action, pages 5-6)

Applicants respectfully traverse this obviousness rejection.

Neither reference relates to valuation of financial instruments. Examples of "financial instruments" are government securities and exotic derivatives. Applicants' specification, page 1, lines 15-16. Valuation of financial instruments is quite different from electronic commerce (Peckover) or Internet shopping (Owens), and a person of ordinary skill in the art at the time of Applicants' invention would not have the method of Applicants' Claim 30 suggested to him by Peckover and Owens.

A person of ordinary skill in the art at the time of Applicants' invention wanting to construct a system to provide entity valuation data for financial instruments would lack reason to turn to either Peckover or Owens, because it would be much more objectively logical for him to start with the existing conventional situation, namely, that historically firms have each built and maintained their own stores of Reference Data in isolation from other firms. (Applicants' specification, page 2, lines 8-9, which has the evidentiary effect of a Declaration under 37 C.F.R. 1.132.)

Another shortfall with the obviousness rejection is that the Examiner takes the perspective of the customer and speaks in terms of whether or not the customer has expressly authorized something. In that regard, the customer perspective is the wrong perspective for Applicants' Claim 30, because Applicants' Claim 30 takes care not to leave to the customer to what he has access, because it is the method that has to keep away from a customer off-limits information even if any given customer would be perfectly happy to see or have benefit of information that is off-limits, unsubscribed to for that customer. Neither reference teaches such a complexity much less how to deal with such a complexity.

Applicant's specification (page 12) mentions one situation where some customers can buy vendor  $V_1$  government bonds but not pay for  $V_1$  equities information.

Applicant's specification (page 15) mentions another example where a customer  $C_2$  does not subscribe to any of the vendors providing the BKV, therefore customer  $C_2$  cannot receive this value when an actual computation is made of BKVA for customer  $C_2$  for entity  $e_1$  and the value delivered to customer  $C_2$  must be based on customer  $C_2$ 's default algorithm.

Applicant's specification (page 23) discloses an example in which customers can define customer-specific algorithms, and such customer-specific algorithms are segregated by customer.

Applicant's specification (page 23) also discloses an example in which there is flexibility to accommodate data vendors who license subsets of their data to different customers.

These examples aid in appreciating the complexities in valuing financial instruments.

Additionally, it should be appreciated that valuing financial instruments is significantly unlike the aspects of general Internet commerce with which Peckover deals. It would be non-obvious to modify ordinary Internet commerce in a direction of financial instruments. The types of transactions are too different. For example, what is purchased through Internet commerce a la Peckover would be a consumer good or service to

which the many considerations described in Peckover's Background at columns 3-7 would apply. Note that Peckover states that "Consumer searching is not private. The search engine can collect data about who is searching and the keywords of their search. Many Web sites maintain 'cookies' or 'passports'.... In effect, the consumer's searching and decision making is exposed to public view." (Peckover, col. 6.) Internet commerce and valuation of financial entities are very different in this regard, and the two areas are therefore not interchangeable in the manner proposed by the Examiner. Peckover is generally dealing with consumer behavior with regard to examples that are Home Appliances, Office Supplies, Groceries, Consumer Electronics, Residential Real Estate, Commercial Real Estate. (Sentence bridging Cols. 16-17.)

If we consider in the context of Peckover the example of a consumer contemplating buying a shredder, we readily can imagine that the one consumer's transaction for the one shredder has no appreciable effect on price. Valuation of the one shredder is simply not a consideration in Peckover because the price of that shredder would not be constantly susceptible of moving in real time such as over seconds, minutes or even hours or days.

Peckover fails to give an example of dealing with "financial instruments". Moreover, Peckover fails to give an example of dealing with valuation of financial instruments. A person of ordinary skill in the art would not extrapolate from home appliances or automobiles to stocks or derivatives because financial instruments are too different and too much a specialty field compared to home appliances and the subject matter of Peckover et al. For example, derivatives owned by someone would be susceptible to being sold in various quantities and pricing could be changing in real time, quite unlike the situation with a home appliance purchase where once the home appliance is purchased, the consumer uses the home appliance and there is not an investment objective regarding the home appliance. Stocks or derivatives are too different from for-use consumer items such as home appliances.

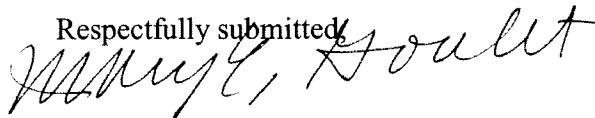
Reconsideration and withdrawal of the obviousness rejection are respectfully sought.

In view of the foregoing, it is requested that the application be reconsidered, that claim 30 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account 50-0510 (IBM-Yorktown).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mary E. Goulet", written over the typed name.

Mary E. Goulet  
Reg. No. 35,884

WHITHAM CURTIS  
CHRISTOFFERSON & COOK, P.C.  
11491 Sunset Hills Rd., Suite 340  
Reston, VA 20190  
Tel. 703-787-9400